761551N25A - SH-AD-32A (2/72)

COUNTY OF LOS ANGELES

# SHERIFF'S DEPARTMENT

*A Tradition of Service*

DATE: February 8, 2007

OFFICE CORRESPONDENCE FILE NO.

FROM: JOHNNY G. JURADO, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: MICHAEL A. FORD, CAPTAIN
SAFE STREETS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS HIT SHOOTING, SH2156973**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on October 14, 2005.

The Committee met on February 8, 2007 and consisted of me and Commanders Eric B. Smith (Leadership and Training Division), and Cecil W. Rhambo (FOR I). The Committee determined the use of force by Deputy Roman Castillo #[redacted] and Deputy [redacted] #[redacted] was within Department policy.

Please advise the deputies of this finding.

The unit commander is instructed to institute routine discussions regarding approaching suspects and proper handcuffing techniques.

JGJ:MOT:mt

# TABLE OF CONTENTS
## SH#2156953

# Los Angeles County Sheriff's Department
# Officer Involved Shooting



| Report Date: | Bureau/Station/Facility: | Admin. Invest.? | Hit? |
|---|---|---|---|
| October 17, 2005 | Operation Safe Streets Bureau | ☐ | ☒ |

## Incident Information

| URN: 005-21957-1132-013 | Date: October 14, 2005 | Time: 2144 |
|---|---|---|

City or Station: Lancaster Station

Location: [redacted] Yucca Avenue, Lancaster

Nature of Incident: Two GET deputies stopped a pedestrian. While the deputies attempted to conduct a pat-down search, a handgun fell from the suspect's waistband. A struggle ensued and the suspect tried to pull one deputy's handgun from his holster. The deputy felt he was losing control of his handgun and told his partner to shoot the suspect. His partner shot the suspect twice in the upper torso.

Location Type (*circle one or more*): Backyard, Beach, **Business** (circled), Freeway, **Industrial** (circled), Park, Parking Lot, Residence, Rural, School, **Street** (circled), Other: ____

Lighting (*circle only one*): **Darkness** (circled), Daylight, Other, Street Lights

Weather (*circle only one*): **Clear** (circled), Cloudy, Fog, Rain

Distance: 4 inches

Incident Type (*circle one or more*): Accidental, **Armed Person** (circled), Fleeing Suspect, Foot Pursuit, **Gun Take Away** (circled), Moving Vehicle, Sniper/Ambush, Startle, **Struggle Involved** (circled), Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Other: ____

Initiated by (*circle only one*): Arrest Warrant, Call, **Observation** (circled), One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **Routine Patrol** (circled)

Total # of Shots Fired by Deputy: 2

Total # of Shots Fired by Suspect: 0

Aero Unit? ☐ Canine Unit? ☐

## Employee Witnesses

| Employee # | Last Name | First Name | M.I. | ShiftTime (*circle only one*) | ShiftType (*circle only one*) |
|---|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | EM **PM** (circled) Day | **Regular** (circled) Overtime Off Duty |
| | | | | EM PM Day | Regular Overtime Off Duty |
| | | | | EM PM Day | Regular Overtime Off Duty |

## Non-Employee Witnesses

| Last Name | First Name | M.I. |
|---|---|---|
| none | | |

| Street Address | City | Zip Code | Work Ph | Home Ph |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | M.I. |
|---|---|---|
| | | |

| Street Address | City | Zip Code | Work Ph | Home Ph |
|---|---|---|---|---|
| | | | | |

| Last Name | First Name | M.I. |
|---|---|---|
| | | |

| Street Address | City | Zip Code | Work Ph | Home Ph |
|---|---|---|---|---|
| | | | | |

## Supervisors

| Employee # | Last Name | First Name | M.I | (*circle one or more*) |
|---|---|---|---|---|
| | | | | On Duty; Present during shooting; Witness to shooting; Involved in shooting |
| [redacted] | Willoughby | Michael | B. | **On Duty** (circled); Present during shooting; Witness to shooting; Involved in shooting |

## Watch Sergeant

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Boothe | Kevin | L. |

## Watch Commander

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Vaughan | Stephen | D |

**PSTD Use Only**

**SH #** 2156973

SH-R-438A rev. 3/97

**See Reverse**

# Officer Involved Shooting

URN: 005-21957-1132-013



## Rollout Information

| Arrival Date | Arrival Time | Date Submitted | Date of Recommendation |
|---|---|---|---|
| October 15, 2005 | 0010 hours | 01-02-07 | |

| Employee # | Last Name | First Name | M.I |
|---|---|---|---|
| [redacted] | Kuykendall | Kevin | R |
| [redacted] | Anderson | Clay | J |
| [redacted] | Hines | William | L. |

## Shooting / Force Information

### Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

### Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

### Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

### Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

### Caliber

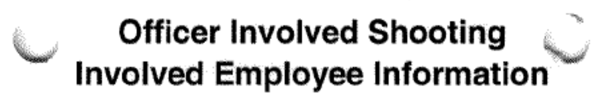
( 9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

## FORCE APPLIED *(one code per block)*

| Used By (E# or S#) | Used Against (E# or S#) | Method (Code) | Brand (Code) | Caliber (Code) | Authorized Weapon? (Y/N) | Authorized Ammunition? (Y/N) | Type of Injury (Code) | Body Part (Code) |
|---|---|---|---|---|---|---|---|---|
| S#1 | E#1 | FO | | | | | | |
| E#1 | S#1 | FH | BR | 9 | Y | Y | GS | BK |
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See Front Side



# Officer Involved Shooting
# Involved Employee Information

URN: 005-21957-1132-013



## Involved Employee

**E 1**

| | | | | |
|---|---|---|---|---|
| Employee # [redacted] | Last Name Castillo | | First Name Roman | M.I. L. |
| Sex: M Race: H | Rank Deputy Sheriff | Unit Assignment: Gang Enforcement Team | Work Assignment (Unit #, Module, etc.): Unit W526 | |
| ShiftTime (*circle only one*): EM (PM) Day | ShiftType (*circle only one*): (Regular) Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: | |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☒ |
| Hrs of sleep prior to shooting: 8 | Duty Time (hrs): [redacted] | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest) | Other Factors: | |
| Age: [redacted] Height: 5-09 | Weight: 185 | | | |
| Range Qualification Date: [redacted] | | PPC Qualification Date: [redacted] | Laser Training Date: [redacted] | |
| Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? ☒ | Number of Prior Shootings: One |
| Field Training Officer Emp # [redacted] | Last Name [redacted] | | First Name [redacted] | M.I. [redacted] |
| Field Training Officer Emp # [redacted] | Last Name [redacted] | | First Name [redacted] | M.I. [redacted] |

**E ___**

| | | | | |
|---|---|---|---|---|
| Employee # | Last Name | | First Name | M.I. |
| Sex: Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.): | |
| ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: | |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐ |
| Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors: | |
| Age: Height: | Weight: | | | |
| Range Qualification Date: | | PPC Qualification Date: | Laser Training Date: | |
| Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings: |
| Field Training Officer Emp # | Last Name | | First Name | M.I. |
| Field Training Officer Emp # | Last Name | | First Name | M.I. |

**E ___**

| | | | | |
|---|---|---|---|---|
| Employee # | Last Name | | First Name | M.I. |
| Sex: Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.): | |
| ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: | |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐ |
| Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors: | |
| Age: Height: | Weight: | | | |
| Range Qualification Date: | | PPC Qualification Date: | Laser Training Date: | |
| Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings: |
| Field Training Officer Emp # | Last Name | | First Name | M.I. |
| Field Training Officer Emp # | Last Name | | First Name | M.I. |



See Other Side



# Officer Involved Shooting Suspect Information

URN: 005-21957-1132-013



## Suspect Information

**S 1**

| | | | |
|---|---|---|---|
| Last Name: Griffin | | First Name: Linord | M.I.: nmn |
| AKA Last Name: Monikers: "Ghost," "Duce Bone," "Diablo," "Frog" | | First Name: | M.I.: |
| Sex: M Race: Black | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted] |
| Work Phone: [redacted] | Home Phone: [redacted] | Social Security #: [redacted] | Driver's License #: [redacted] |
| Age: 25 D.O.B. 11-28-79 | Height: 601 Weight: 172 | FBI #: [redacted] | CII #: [redacted] |
| Booking #: Deceased, not booked | Primary Charge: Attmpt. Take Peace Ofcr's. Firearm - 148(c) P.C. | Secondary Charge: Resisting Executive Officer - 69 P.C. | |
| Coroner Case? ☒ | Coroner Case #: 2005-07820 | Intoxication/Drug Usage? ☒ | Substance Used: Cocaine, methamphetamine |
| Armed? ☒ | Apprehended? ☒ | Mental Illness? ☐ | Criminal History? [redacted] |
| Vehicle Make: None | | Model: | Year: |

**S__**

| | | | |
|---|---|---|---|
| Last Name: | | First Name: | M.I.: |
| AKA Last Name: | | First Name: | M.I.: |
| Sex: Race: | Street Address: | City: | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI #: | CII #: |
| Booking #: | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case #: | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make: | | Model: | Year: |

**S__**

| | | | |
|---|---|---|---|
| Last Name: | | First Name: | M.I.: |
| AKA Last Name: | | First Name: | M.I.: |
| Sex: Race: | Street Address: | City: | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI #: | CII #: |
| Booking #: | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case #: | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make: | | Model: | Year: |

**S__**

| | | | |
|---|---|---|---|
| Last Name: | | First Name: | M.I.: |
| AKA Last Name: | | First Name: | M.I.: |
| Sex: Race: | Street Address: | City: | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI #: | CII #: |
| Booking #: | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case #: | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make: | | Model: | Year: |



See Other Side

**INVESTIGATIVE SUMMARY**
**DEPUTY INVOLVED HIT SHOOTING: SUSPECT DECEASED**
**SH# 2156973**
**URN 005-21957-1132-013**

## DATE / TIME / LOCATIONS

Friday, October 14, 2005
2144 hours
[redacted] Yucca Avenue, Lancaster 93534

## IAB SHOOTING / FORCE TEAM

A/Lieutenant Bill Hines; Sergeant Kevin Kuykendall and Sergeant Dave Stunson (case writer)

## INVOLVED PERSONNEL

**Castillo**, Roman L., Deputy #[redacted] MH/[redacted] 5-09 185 Right Handed
Operation Safe Streets
Detective Division

| | |
|---|---|
| Date of Employment: | 10/20/89 |
| Date Assigned to Patrol: | [redacted] |
| Date Completed Patrol Training: | |
| Prior Shooting Incidents: | 06/03/04 (armed person, foot pursuit, traffic stop) |
| Prior Founded Force Incidents: | [redacted] |

## SUSPECTS

**Griffin,** Linford MB/26 6-01 172

[redacted]

## EMPLOYEE WITNESSES

[redacted] deputy, #[redacted]** [redacted]
Operation Safe Streets

**Zarris**, Paul A., deputy, #[redacted]
Lancaster Station

**Pokorny**, Michael J., deputy, #[redacted]
Lancaster Station

## NON-EMPLOYEE WITNESSES

[redacted] FB/18 (Claimed to be [redacted] of deceased Suspect Griffin)

## INJURIES

**Suspect Linord Griffin:**

Two fatal gunshot wounds to his back.

**Deputy Personnel:**

**Deputy** [redacted]

Bruised knees.

## PHYSICAL EVIDENCE

Deputy Castillo's Expended Shell Casings: One expended 9mm shell casing was recovered 3 feet, 5 inches north of the north curb line of Jackman Street and 20 feet, 10 inches west of the west curb line of Yucca Avenue.

A second expended 9mm shell casing was recovered 6 feet 5 inches north of the north curb line of Jackman Street and 24 ft., 11 inches west of the west curb line of Yucca Avenue. Refer to **Exhibit E, sketch of scene**, and photographs **in Exhibit C**.

Suspect's Handgun: One loaded (one chambered and five in the magazine) Colt .25 caliber semiautomatic handgun was recovered 3 ft. , 5 inches south of the north curb line of Jackman Street and 3 ft. , 2 inches west of the west curb line of Yucca Avenue, underneath Deputies Castillo and [redacted] radio car. Refer to **Exhibit E, sketch of scene**, and photographs **in Exhibit C**.

## INVESTIGATOR OBSERVATIONS

The writer (Sergeant Stunson) was not one of the responding IAB Team members on the night of the incident. However, according to notes and reports from responding Homicide and Internal Affairs Bureau investigators, the following has been established. The location is an intersection in a neighborhood comprised of commercial buildings. All businesses were closed for the day and no civilian pedestrian or vehicular traffic was evident at the time of the investigator's response. None of the street lighting was operable on any of the intersection's four corners of Jackman Street and Yucca Avenue.

## REVIEW OF RADIO TRANSMISSIONS

The investigator reviewed the radio traffic of involved and responding deputies. Deputy [redacted] requested the patch and broadcast that a deputy-involved shooting had just occurred. He requested paramedics for the injured suspect. Deputy [redacted] advised that no deputy personnel were injured and he requested the field supervisor to respond to the location. A Lancaster Station field supervisor acknowledged and responded immediately. Two Lancaster Station patrol units acknowledged and responded. Other Lancaster Station patrol units responded and contained the immediate area.

## LIGHTING AND WEATHER CONDITIONS

It was clear and typical night time darkness with no ambient lighting due to inoperable street lighting on all four corners.

## WEAPONS USED BY DEPUTY PERSONNEL

**Deputy Castillo**:

| | |
|---|---|
| Service Weapon Type: | Beretta 9mm Semi-Automatic pistol |
| Rounds Fired: | Two |
| Type of Ammunition Used: | Department Issued Luger (Win) Ranger SXT 147gr. |
| Date Employee Last Qualified: | [redacted] |

## WEAPON USED / POSSESSED BY SUSPECT

Colt .25 caliber semi-automatic pistol (loaded with one in the chamber and five in the magazine).

## PROPERTY DAMAGE

None.

## CRIMINAL INVESTIGATOR/CHARGES FILED

Investigators' Names: Homicide Detectives - Detective J. Martinez & G. Graves

## INVOLVED EMPLOYEE STATEMENTS

**Involved (shooter) Deputy Roman Castillo** was interviewed by **Homicide Detectives** Martinez and Graves at 0300 hours on October 15, 2005, at Lancaster Station. Attorney's Richard Shinee and Helen Schwab were also present for the interview.

Deputy Castillo said he has worked Operation Safe Streets - Gang Enforcement Team [redacted] He said on the shift of the shooting incident, he was working as the book man with his partner Deputy [redacted] who was the driver. The two were working Unit W526 and both deputies were dressed in green polo shirts with yellow

Sheriff's patches, blue denim pants and boots. Detectives examined his service pistol and found its chamber with one live round and its magazine filled with thirteen live rounds all issued by the Department.

Deputy Castillo explained that he and Deputy [redacted] were in their patrol unit and traveling northbound on Yucca Avenue approaching Jackman Street when they saw the suspect on the west side of the street within twenty-five yards of them. It appeared that the suspect had walked from Jackman Street and was continuing onto northbound Yucca Avenue. Castillo found it unusual to see someone in the area at this time of night because the area was comprised of businesses and all were closed. There were no other pedestrians in the area at that time. Due to the history of burglary occurrences, he and Deputy [redacted] decided to approach the suspect and find out why he was in the area.

Deputy Castillo said Deputy [redacted] drove the radio car into the southbound lane of Yucca Avenue and stopped along side of the suspect who was about to reach the sidewalk curb. From inside the patrol vehicle, Deputy [redacted] called out to the suspect to come over to their car while also telling him to show his hands. The suspect briefly showed his hands but then reached down to his waistband. [redacted] repeated the order to show his hands and the suspect again briefly showed them but then brought them down to his waistband again. Deputy Castillo said by this time, he thought the suspect had something in his waistband he was trying to conceal or possibly retrieve. Castillo was concerned that object may have been a gun or a knife.

Castillo saw Deputy [redacted] draw his weapon from its holster and point it at the suspect while ordering the suspect to place his hands on the hood of the radio car. The suspect complied. At this time, Deputy Castillo drew his pistol from its holster pointing it at the suspect and exited the radio car.

Deputy Castillo walked around the front of the radio car approaching the suspect. As he did this, he heard Deputy [redacted] order the suspect to keep his hands on the hood of their car. Deputy Castillo approached Suspect Griffin from the left side, grabbed hold of the suspect's left wrist while asking the suspect if he had a weapon. The suspect did not respond. Deputy Castillo repeated his question a few more times and asked why he was reaching for his waistband, but the suspect would only say he did not have anything on him. Castillo noticed the suspect fidget and he noticed a glow on the suspect's face as though he had been perspiring.

Deputy [redacted] exited the radio car, approached the suspect on the suspect's right side, and grabbed hold of the suspect to restrain him. Deputy Castillo felt the suspect becoming more tense as he began patting him down on his left side from the chest and downward to his legs. Meanwhile, Deputy [redacted] began patting the suspect down on his right side. Suspect Griffin suddenly pushed forward against the patrol car as thought to prevent Deputy [redacted] from patting down the right side of his waistband. Deputy [redacted] told Deputy Castillo to handcuff the suspect.

Deputy Castillo said he pulled a set of handcuffs from their holder and locked one of the cuffs on Suspect Griffin's left wrist. As he was handcuffing the suspect, he heard Deputy [redacted] say, "417." Upon announcing "417," Deputy Castillo believed the suspect was armed with a gun. (He was later

told the suspect had dropped a gun). At the same time, the suspect backed away from the car and turned to his left. Both deputies lost their grip of the suspect as the suspect started to run toward the building on the corner. As the suspect was breaking free, both deputies grabbed the suspect on the sidewalk and dropped him to the ground with the suspect landing in the prone position. Deputy Castillo landed on top and to the right of the suspect while Deputy [redacted] was at the suspect's head and to the left. Deputy Castillo placed his left knee on the small of the suspect's back and his left hand on the top of the suspect's back. Deputy Castillo's right knee was on the sidewalk next to the suspect's right side. He was trying to gain control of the suspect's right arm which the suspect moved beneath him.

At this point, Deputy Castillo thought the suspect had a gun in his waistband. As Castillo struggled to gain control of Suspect Griffin's right arm, he felt Deputy [redacted] move away from the suspect and then heard [redacted] say, "He's got my gun. As Deputy Castillo continued to struggle with the suspect, he felt Deputy [redacted] was longer helping him control the suspect. Castillo then heard Deputy [redacted] say again, "He's got my gun. Shoot him." At that moment, Deputy Castillo believed the suspect had a gun in his waistband. He also believed the suspect had his partner's gun. Deputy Castillo looked to his left and saw the suspect's left hand on Deputy [redacted] holstered gun. He could see the suspect was pulling at the gun and it appeared to him the gun was coming out of the holster. Fearing for his and Deputy [redacted] safety, Deputy Castillo stood up a few inches from the suspect, drew his service pistol from its holster and rapidly fired two shots into the suspect's back. After being shot, the suspect immediately released his grip of Deputy [redacted] pistol and Deputy [redacted] pulled away and fell into the street. Meanwhile, the suspect was still able to struggle and rolled onto his back.

Deputy Castillo used his left hand to grab hold of the handcuffs attached to the suspect's left wrist and his body weight to lay on top of the suspect's chest while holding his duty weapon in his right hand, away from the suspect's reach. At this time, Deputy Castillo could hear Deputy [redacted] on his portable radio broadcasting that they were involved in a shooting and then requesting paramedics for the suspect. Assisting units arrived almost immediately and took over completing handcuffing of the suspect.

The only statements Deputy Castillo recalled the suspect making was when he denied having anything in his waistband when they were attempting to pat him down. He also remembered the suspect saying he did not have a weapon after Deputy [redacted] stated he had his ([redacted]) gun.

**On December 6, 2006, Deputy Castillo was interviewed by Internal Affairs Bureau** Sergeants David Stunson and Steve Kim. Deputy Castillo was represented by attorney Ms. Helen Schwab of the law firm of Greene and Shinee. The interview was audio recorded.

Deputy Castillo's explanation of events was essentially the same he provided to Homicide investigators on the night of the shooting. He supplemented with additional comments in answer to questions posed to him by IAB investigators.

Deputy Castillo said that the event unfolded very rapidly, so quickly he said, that the auditory observation of Deputy [redacted] that the suspect's gun had dropped to the ground, was not specifically verbally communicated and confirmed between he and [redacted] He knew Deputy [redacted] had said, "417," but in his (Castillo's) mind, that meant the suspect was armed with a gun. The suspect broke away from his and Deputy [redacted] grasp during the pat down and handcuffing procedure and there wasn't time to stop to clarify or elaborate on the "417" comment, or for an exchange between the two deputies that the "417" (gun) had dropped to the ground. Deputy Castillo just knew a gun was involved with this uncooperative and nervous suspect and he Deputy [redacted] didn't know that Deputy Castillo hadn't heard the gun drop to the ground.

Once tackled and on the ground fighting with deputies, Suspect Griffin was on his stomach and struggling and fighting with both deputies trying to conceal his uncuffed right hand under his body. Deputy Castillo said since Deputy [redacted] was focused on taking control of the suspect's cuffed left wrist, he was focused on getting the right hand and arm out from under the suspect's body because the suspect kept trying to push his right arm and hand under his body toward his waistband. Deputy Castillo feared the suspect was going for a gun in his waistband. Castillo finally got a grasp on the suspect's right arm and hand and got it out from under the suspect when he felt Deputy [redacted] "sort of stop fighting a little bit. He sort of backed off the suspect for just a second."

At this time, Deputy Castillo looked to his left and he saw that with his left hand, the suspect was reaching back and toward Deputy [redacted] side. At the same time, Deputy [redacted] told Deputy Castillo, "Roman, he's got my gun. He's got my gun." He also looked and saw Deputy [redacted] was using both of his hands and trying to keep his gun in its holster. Deputy Castillo said he thought, "This is bad. This is bad." He saw that the suspect had hold of Deputy [redacted] gun and was "yanking it toward's the ground, and to me, it looked like it was coming out of the holster." Though he had the a grasp on the suspect's right hand, Castillo was "frantically" trying to maintain control of it as the suspect was violently trying to pull it away and he was doing it alone since Deputy [redacted] was focused on struggling with the suspect to retain his service weapon.

Deputy Castillo said Deputy [redacted] said, "Roman, he's got my gun, shoot him!" Deputy Castillo said that he had worked with Deputy [redacted] for over a year at that point and he never heard that tone of voice from Deputy [redacted] or heard him sound so scared. Deputy Castillo believed that either the suspect had Deputy [redacted] gun already or was to have it shortly and shoot both deputies. Deputy Castillo also had in his mind that:

> he still had the gun in his waistband! I have to stop this right now or someone is going die, someone is going to die. And its not going to be me and its not going to be [redacted] So I pulled out my Beretta and I backed off a little bit from the suspect, maybe about four to six inches away from the suspect and I shot him twice in his upper torso, in his back. As soon as I shot the suspect, I looked to my left and I saw him release his grasp from [redacted] gun. [redacted] at that moment, sort of jerked away from the suspect, he backed off into the street and put out emergency traffic that we had just been involved in a shooting. After I shot the suspect, I then again, with all my body weight, I fell back on the suspect, straddling him, with

my gun out to the side and just tried to hold him until he stopped moving. He was still saying things, cussing, moving around, wiggling, and I just kept my body weight on him.

The next thing Deputy Castillo remembered was assisting units arriving and telling him, "Roman, give me your gun. Get off him (the suspect)." He said these deputies (Witnesses Zarris and Pokorny) pulled him to the side, handcuffed the suspect and took control of the scene.

Deputy Castillo said he did not have any opportunity to use any other tools such as O.C. spray, baton, or any other weapon because the situation happened in "seconds. I had no chance to reach for any other weapon." He estimated the distance between where they began the pat down and handcuffing over to where the suspect was tackled was less than 10 feet. He said they did not go in foot pursuit. He believed that they never broke their physical contact with the suspect from when he attempted to break away and when they tackled him.

Regarding pre-planning, Deputy Castillo said they (he and [redacted]) worked together every day. He said that although they alternated back and forth between driver, they had certain tasks that each was responsible for when they made pedestrian contacts and detentions. He said they discussed regularly how they would handle certain situations and when a scenario didn't go as well as they liked, they would discuss it after and hone their techniques. Castillo said he felt they needed to get their hands on the suspect quickly because the suspect was not listening and/or was uncooperative and may have been preparing to retrieve a weapon. He said he and Deputy [redacted] had made many dozens of similar pedestrian stops.

Deputy Castillo said he was well-aware of his partner's exact position when he shot Suspect Griffin in the back and he ensured that Deputy [redacted] was not in his backdrop. He said that although Deputy [redacted] requested that he (Castillo) "shoot" the suspect, Deputy Castillo looked down at Deputy [redacted] side and saw that it appeared the suspect was gaining control of his partner's weapon and was about to remove it from its holster and likely seriously injure or kill he and Deputy [redacted] Deputy Castillo said there were no other pedestrians or vehicles that were in his backdrop. He identified his backdrop as the ground. He said that as soon as he fired the two rounds, he immediately looked to his left and saw Suspect Griffin release his grip on Deputy [redacted] gun and he consciously told himself he did not need to fire more rounds into the suspect.

When he first contacted the suspect at the hood of the radio car to conduct the pat down, Deputy Castillo holstered his weapon while at the same time he told the suspect to keep his hands on the hood. With his (Castillo's) right hand, he grasped onto the suspect's upper rear shirt and then began to pat down Suspect Griffin with is left hand.

Deputy Castillo drew his and Deputy [redacted] approximate positioning on the sketch prepared by Scientific Services Bureau personnel (**refer to** deputies' placement by initials in **Exhibit E, sketch B**).

**Involved (non-shooter) Deputy** [redacted] was interviewed by Homicide Detectives Martinez and Graves at 0237 hours on October 15, 2005, at Lancaster Station. Attorney's Richard Shinee and Helen Schwab and IAB Sergeant Kevin Kukendall were also present for this interview.

Deputy [redacted] said he had worked Operation Safe Streets - Gang Enforcement Team for the last eight of his eighteen years as a deputy sheriff. He said on the night of the shooting, he was the driver and his partner Deputy Castillo was bookman and they were working out of the Lancaster Station area in a marked patrol vehicle. They were attired in green polo shirts with Sheriff's patches, jeans boots.

Deputy [redacted] said he and Deputy Castillo were on patrol traveling northbound on Yucca Avenue from Lancaster Boulevard when they saw Suspect Griffin walking north on the west sidewalk. [redacted] thought this a bit unusual for anyone to be walking on this block at this time of night because all of the businesses were closed and there were no cars parked on the street. Deputy [redacted] was also aware that the area has had a number of night time burglaries in recent times due to its isolated location. Nearing the suspect, [redacted] drove the patrol unit to the west side of Yucca Avenue to contact the suspect. As they neared him, [redacted] called out to the suspect from a seated position in the radio car, "Hey, what's up?" He said the suspect seemed surprised and it appeared to [redacted] that the suspect placed his left hand into his left front pants pocket. Deputy [redacted] immediately withdrew his service pistol and pointed it at the suspect commanding him to show his hands. [redacted] was still seated in the patrol unit.

Deputy [redacted] noticed the suspect did not fully comply with commands and he was appearing to fumble with his waistband. Still pointing his service pistol at the suspect, [redacted] then commanded the suspect to come to the radio car and place his hands on the hood of the car. The suspect hesitated and then walked over to the radio car's hood at the driver's side. The suspect's actions (partial compliance with commands, placing a hand inside a pocket, hesitance to comply), were consistent with those of other suspects he had dealt with previously who were attempting to conceal guns or other illegal objects.

Once Suspect Griffin placed his hands on the car, book man Deputy Castillo got out of the radio car with his service pistol drawn and pointed at the suspect from across the hood. As Deputy Castillo approached the suspect, Deputy [redacted] saw the suspect again reach toward his right pants pocket so he told the suspect to keep his hands visible or he would shoot him. [redacted] then exited the radio car as Deputy Castillo reached the suspect and re-holstered his service pistol. From behind, Deputy Castillo grabbed a hold of the suspect's left arm and pushed him against the radio car because the suspect wasn't remaining still.

Deputy [redacted] joined Deputy Castillo in an attempt to restrain the suspect.

> **IAB Note:** Deputy [redacted] noted that under normal pedestrian contacts, he would typically allow his book man partner (in this case, Deputy Castillo), to conduct the pat-down search by himself. However, in this situation, the suspect was only partially cooperative and his behavior and actions led him to think that the suspect may be trying to conceal a weapon. In this case, he felt it more prudent to get closer to and get his hands on the suspect so he could assist his partner more rapidly should Suspect Griffin try to retrieve a weapon.

[redacted] noticed his partner trying to distract the suspect by asking him what he was trying to hide and telling him to calm down. While they attempted to pat the suspect down, the suspect leaned

against the car in an apparent attempt to prevent them from patting his waist area. Due to the suspect's movements, [redacted] believed it would be better to handcuff the suspect for their safety while they continued their investigation. Deputy [redacted] told his partner to handcuff the suspect.

Deputy Castillo placed one cuff on Suspect Griffin's left wrist while Deputy [redacted] grabbed a hold of both of the suspect's hands to assist in the handcuffing. To provide a physical advantage for the handcuffing by placing the suspect off balance, Deputy [redacted] used his right foot to kick the suspect's right leg apart from his left leg. Right after he kicked the suspect's right leg, [redacted] heard a metallic object strike the asphalt. He looked down and noticed a gun had fallen from the suspect's pant's leg and he yelled out, "417" to warn Deputy Castillo. At this same time, the suspect turned to his left and kicked the gun under the radio car and then he tried to break free from the deputies' grasp. Suspect Griffin then continued his motion and pulled away from the deputies. To prevent the suspect's escape, Deputy [redacted] tackled the suspect to the ground and the three men fell onto the sidewalk.

After landing, the suspect was on the ground in a prone position with his head facing south. Deputy Castillo was on top of the suspect's right side. Deputy [redacted] was positioned on his knees just to the suspect's left side, at the suspect's head, and trying to hold the suspect's left shoulder down as the suspect attempted to push himself off of the ground. While struggling to gain control of the suspect, Deputy [redacted] felt a tug on his gun and when he looked down at his holstered gun, he saw the suspect's left hand with a hold on the grip of his service pistol and Suspect Griffin was pulling at it. Simultaneously, the suspect was attempting to roll to his right but Deputy Castillo was preventing it. To prevent the suspect from seizing control of his service pistol, Deputy [redacted] grabbed the suspect's left wrist and tried to remove Griffin's hand off of his gun.

Deputy [redacted] said he was unable to remove Suspect Griffin's hand from his weapon and he sensed they were about to begin wrestling for the gun and someone would end up being shot. At this time, he told Deputy Castillo, "He's got my gun. Shoot him." He said Deputy Castillo then shot the suspect two times. [redacted] said he was then able to free the suspect's hand from his gun while partner Castillo continued to straddle the suspect while Deputy [redacted] stood up and used his portable radio to announce the shooting and request resources to assist with medical treatment for the suspect. Within seconds, an assisting unit arrived and assisted Deputy Castillo in handcuffing the suspect.

In recollecting the incident, Deputy [redacted] said the only statements the suspect made throughout the incident were when they were patting him down. Suspect Griffin said his pants were falling down because he just left his [redacted] place after having sex. Recalling further statements from the suspect, [redacted] said that after he told his partner that the suspect had his gun and to shoot the suspect, the suspect said, "I don't have a gun." After having said that, Suspect Griffin then pulled on his service pistol with even more force which caused Deputy [redacted] to use both of his hands to prevent the suspect from gaining control of his pistol.

**On December 6, 2006, Deputy [redacted] was interviewed by Internal Affairs Bureau** Sergeants David Stunson and Steve Kim. Deputy [redacted] was represented by attorney Ms. Helen Schwab of the law firm of Greene and Shinee. The interview was audio recorded.

Deputy [redacted] statement of the incident during this interview closely matched the comments he provided to Homicide investigators on the night of the shooting. The following is supplemental to and clarification of his Homicide interview statement. He said that as they approached the pedestrian suspect, they illuminated him with their patrol vehicle's spotlight. "We were probably 35 to 40 yards away." He said he likes to "approach tactically," in a manner that "is pretty hard and fast to give 'em the element of surprise so they can't figure out what they're going to do about us. And I like rolling up behind them so they can't see us coming." He said at the point the suspect noticed the radio car, they were approximately 25 feet away from him. That is when he ordered Suspect Griffin to "let me see your hands."

He told investigators he repeated the orders to Suspect Griffin to "show his hands" about five times before he complied. Later, when the suspect broke away from the deputies and was tackled onto the sidewalk, he did not put much distance between himself and the deputies. Deputy [redacted] estimated the distance from the radio car hood to the tackle point on the wheelchair ramp of the sidewalk to be approximately ten feet.

Deputy [redacted] said both he and Deputy Castillo repeatedly told the suspect to stop fighting while they were on the ground fighting to get him handcuffed. He said the suspect was squirming to get pushed up and away from the deputies. Deputy [redacted] drew his and Deputy Castillo's approximate positioning on the sketch prepared by Scientific Services Bureau personnel ( **refer to** deputies' placement by initials in **Exhibit E, sketch C**).

Deputy [redacted] said at the time of the shooting, the backdrop beyond the suspect/target was the ground and no other people were in jeopardy of being struck by the fired rounds. He said there was no time to put out that the suspect was trying to break away from them. He said it happened quickly and he and Castillo responded quickly in tackling him so the suspect did not have a chance of running away. Once on the ground, neither he or Castillo were able to divert their physical effort in fighting with the violently struggling suspect to focus on and use their radios.

He said the since he and Deputy Castillo work together "all the time," they each had pre-planned and understood assignments/tasks. Deputy [redacted] said he and Deputy Castillo had their own regular routine which included the driver always making the contact with a suspect and the book man always providing the cover. The driver always pats down the suspect. He said that Deputy Castillo first took hold of the suspect's left shoulder and the back of his waistband. He said when conducting a pat down search typically, they always back the suspect a few of feet away from the fender of the radio car and have the suspect spread his legs, place his hands behind his back and have the suspect interlace his fingers. Deputy [redacted] said that Deputy Castillo and he were in that process of having the suspect place his fingers together when Suspect Griffin broke away and tried to run off. He said neither he nor Castillo had a chance to pepper spray the suspect or hit him with an impact weapon

due to the extremely rapid unfolding of the incident. He said that on pedestrian stops, their contingency plans evolve and they always maintain verbal communication to adjust to unfolding events. He said their plan would have been to complete the handcuffing and pat down. Then, due to the suspect's nervous and uncooperative behavior, they would have placed the suspect in the rear seat of the radio car to complete their investigation. He said he and Castillo have always been flexible and always communicate in each unique situation.

Deputy [redacted] said there was no pedestrian or vehicular traffic during the shooting incident. He said the entire length of the incident was no longer than one minute.

## EMPLOYEE WITNESSES

**No uninvolved employees aside from Deputy [redacted] witnessed the actual shooting. However, assisting deputies were near the location and responded and saw the suspect on the sidewalk with Deputy Castillo on top of him shortly after the shooting but before the suspect was handcuffed. The following deputies responded and were in the vicinity of the incident:**

**Deputy Zarris -** Deputy Zarris was working a Lancaster Station patrol unit when he heard the "998" broadcast. He and Deputy Pokorny were the first deputies to arrive and they assisted in the handcuffing of the injured suspect. Deputy Zarris' supplemental report begins on page 14 of the **Homicide book, Exhibit I.**

**Deputy Pokorny** was working a Lancaster Station patrol unit when he heard a request for assistance by Deputies [redacted] and Castillo. He said he and Deputy Zarris were the first deputies to respond. He said he saw Deputy Castillo on top of the suspect, straddling the suspect who was kicking and twisting underneath Deputy Castillo, who appeared exhausted. Deputy Pokorny took control of Suspect Griffin's left handcuffed wrist and Deputy Zarris grabbed the suspect's right hand. Together, they completed handcuffing the suspect and then stayed on scene to assist the deputies with post-shooting scene activities. Deputy Pokorny's supplemental report begins on page 12 of the **Homicide book, Exhibit I.**

## CIVILIAN WITNESS

**No civilian witnesses were located. Involved personnel do not recall seeing anyone on the street in this business district of the City of Lancaster at the time of the shooting. Responding units did attempt to locate witnesses but were unable to find any one who saw or heard anything associated with the shooting incident.**

Suspect family member [redacted] arrived at the scene of the shooting on October 15, 2005, at 0148 hours while Homicide detectives were still on-scene. Ms. [redacted] was accompanied by two other females and three males. She told them she was Suspect Linord Griffin's [redacted] and she was looking for him. She said he was from Los Angeles and he was staying with his [redacted] who lived in Lancaster. She indicated he had not been in town long and did not know his way around. She said

she began to look for him because he had stepped out several hours before and had not returned which caused her concern and to begin her search for him.

Ms.[redacted]was reluctant to answer detectives' questions and the males interrupted her telling her she was not required to supply answers to questions posed to her. When advised that Suspect Griffin had been killed, she and her companions became distraught and walked away from the scene.

## SUSPECT'S STATEMENTS

Due to Suspect Linord Griffin sustaining two gunshot wounds, he was taken to Antelope Valley Hospital Emergency Room by AMR Ambulance Company and was pronounced dead by E/R Doctor Moreno. Due to the activity of emergency medical procedures being performed on the suspect, he was not interviewed regarding the incident.

## NOTABLE HOMICIDE FOLLOW-UP INFORMATION

Following a check of Suspect Griffin's criminal record[redacted]

## TOXICOLOGY REPORT

The Forsensic Science Laboratories of the Coronor's Department Toxicology Report indicated that blood drawn from Suspect Griffin's body showed positive for the presence of cocaine, methamphetamine and alcohol.




# LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
## BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
## JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JOHN K. SPILLANE • Chief Deputy District Attorney
CURTIS A. HAZELL • Assistant District Attorney

JANICE L. MAURIZI • Director


June 16, 2006

Captain Raymond Peavy
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

Re: J.S.I.D. File #: 05-0610
L.A.S.D. File #: 005-21957-1132-013

Dear Captain Peavy:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the October 14, 2005 fatal shooting of Linord Griffin (Griffin) by Los Angeles County Sheriff's Deputy Roman Castillo. Based upon the information submitted to this office, we have determined that Deputy Castillo acted lawfully in self-defense and the defense of others.

The following analysis is based upon a series of reports prepared by the Los Angeles County Sheriff's Department (LASD) submitted to this office on April 21, 2006. The District Attorney Command Post was notified of this shooting at 10:51 p.m. on October 14, 2005. Deputy District Attorney Margo Baxter and District Attorney Senior Investigator [redacted] responded to the scene where they were given a briefing and provided with a "walk through" of the scene. No compelled statements were presented or considered for purposes of this analysis.

## FACTUAL ANALYSIS

On October 14, 2005 Los Angeles County Sheriff's Deputies Roman Castillo and [redacted] were partners out of the Lancaster Station. At approximately 9:40 p.m. they drove east down the 45000 block of Yucca Avenue in a marked patrol car and saw a man, later identified as Linord Griffin, walking toward Yucca Avenue from Jackman Street. They found Griffin's presence at that location suspicious because this portion of Yucca Avenue is an industrial area and, at that time of the evening, all of the businesses were


Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Los Angeles, CA 90012-3210
(213) 974-3888
WEBSITE: http://da.co.la.ca.us

closed. In addition, a number of businesses in the area had been burglarized. Based upon these factors, the officers decided to contact Griffin.

While still in the car, Deputy [redacted] called out to Griffin to put up his hands. Griffin briefly put up his hands then reached down toward his waistband. Deputy [redacted] withdrew his gun from his holster, pointed it at Griffin and ordered him to place his hands on the hood of the patrol car. Griffin complied. Deputy Castillo walked up to Griffin and grabbed his left wrist. As Officer [redacted] walked toward Griffin's right side, Castillo felt Griffin tensing. [redacted] began to pat down Griffin for weapons.

When [redacted] reached toward Griffin's right side, Griffin moved his body as if to prevent [redacted] from searching his right side. [redacted] told Castillo to handcuff Griffin. As Castillo prepared to do so, [redacted] kicked Griffin's right leg apart and a handgun fell from Griffin's pant leg onto the ground. Griffin kicked the gun under the patrol car causing his right shoe to fall off. [redacted] said "417," the code for "man with a gun," to let Castillo know that Griffin had a gun. Griffin pulled out of their grasp and ran toward the buildings. Castillo and [redacted] quickly tackled him to the ground.

As they struggled with Griffin, [redacted] felt a tug on his gun located in the holster on his belt. [redacted] looked and observed that Griffin was holding [redacted] gun by the handle and pulling. [redacted] pulled on Griffin's wrist but could not get his hand off the gun. He feared that Griffin was going to gain control of his gun and told Castillo, "He's got my gun. Shoot him."

Deputy Castillo had not seen the gun fall out of Griffin's pants. While struggling with the suspect on the ground, it was his belief that Griffin was still armed. Castillo saw and felt [redacted] move away from Griffin then heard [redacted] say, "He got my gun. He got my gun. Shoot him." Castillo looked at [redacted] gun and saw that Griffin had his hand on it. It appeared to Castillo that [redacted] gun was coming out of the holster. Fearing for his life and the life of his partner, Castillo shot Griffin twice in the torso. After being shot, Griffin released [redacted] gun but continued to struggle and flipped onto his back. Castillo grabbed the handcuffs attached to Griffin's left hand and laid on top of him while [redacted] used his radio to notify dispatch that they had been involved in a shooting. Deputies quickly arrived and were able to handcuff Griffin who was still struggling and swearing.

Paramedics arrived and treated Griffin at the scene then transported him to Antelope Valley Hospital where he was pronounced dead at 10:56 p.m. On October 17, 2005, an autopsy was performed on the body of Linord Griffin by Los Angeles County Deputy Medical Examiner, Eugene Carpenter, Jr. He determined the cause of death to be multiple gunshot wounds. Toxicology tests performed on Griffin revealed that he had alcohol, cocaine, marijuana, phencyclidine and methamphetamine in his system at the time of his death.

The gun that fell from Griffin's pants was recovered under [redacted] and Castillo's patrol car by investigators. It was examined and found to be a loaded, Colt .25 caliber semiautomatic handgun.

Investigators went to the home of Griffin's [redacted] on October 17, 2005. She told investigators that her [redacted] had recently been released from prison. He has had severe emotional problems since childhood and was diagnosed with paranoid schizophrenia, depression, multiple personality disorder and compulsive disorders. At one point he was committed to Camarillo State Mental Hospital. Five years ago he assaulted her and she obtained a restraining order against him which recently expired. Mrs. Griffin further told investigators when her [redacted] drank or used drugs he became very violent.

## LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of another if it reasonably appears that the person claiming the right of self-defense or the defense of another actually and reasonably believed that he was in imminent danger of great bodily injury or death. People v. Williams, (1977) 75 Cal.App.3d 731.

A person acts in legal self defense and/or the defense of others if they reasonably believed that themselves or a third party was in imminent danger of suffering bodily injury; they reasonably believed that immediate use of force was necessary to defend against that danger and they used no more force than was legally necessary to defend against that danger. CALCRIM No. 3470.

Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. People v. Collins (1961) 189 Cal.App.2d 575.

Actual danger is not necessary to justify the use of deadly force in self-defense. If one is confronted by the appearance of danger which one believes, and a reasonable person in the same position would believe, would result in death or great bodily injury, one may act upon those circumstances. The right of self defense is the same whether the danger is real or apparent. People v. Toledo (1948) 85 Cal.App.2d 577.

## CONCLUSION

On October 14, 2005 Deputies [redacted] and Roman Castillo contacted Linord Griffin in an industrial area at a time when all of the businesses were closed. Unbeknownst to them, Griffin had a history of severe mental illness, was under the influence of numerous drugs and alcohol and had a history of violence.

When they attempted to pat him down for weapons, he became extremely uncooperative. A handgun fell from his pant leg which he kicked under the patrol car. As the deputies attempted to handcuff him, Griffin broke free from their grasp and was tackled by both officers. While struggling on the ground, Griffin grabbed Deputy [redacted] service weapon located in the holster on his belt. Griffin held the handle of the gun and attempted to remove it from the holster. [redacted] could not remove Griffin's hand and feared Griffin was about to gain control of his gun. [redacted] alerted Castillo that Griffin had his gun. Castillo looked and it appeared to him that [redacted] gun was coming out of the holster. [redacted] shouted, "He's got my gun. Shoot him." Fearing for his life and the life of his partner, Castillo shot Griffin two times in the torso causing Griffin to release his grip on [redacted] gun. Arriving deputies handcuffed Griffin who was transported by paramedics to a local hospital where he died from his wounds.

We conclude that Deputy Castillo acted in lawful self-defense and the defense of others. We are closing our file and will take no further action regarding this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

MARGO BAXTER
Deputy District Attorney
(213)974-3888

c: Deputy Roman Castillo, #[redacted]